



BALAREZO LAW

CRIMINAL DEFENSE

February 22, 2019

The Honorable Brian M. Cogan
United States District Judge
for the Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201

Re: *United States v. Joaquín Archivaldo Guzmán Loera*
Case No. 09-CR-0466(S-4)(BMC)

Dear Judge Cogan:

On February 20, 2019, *Vice News*, an online news service, published a story titled *Inside El Chapo's Jury: A Juror Speaks For the First Time About Convicting the Kingpin*.¹ In that story, the author claims to have spoken for over two hours with a juror in Mr. Guzmán's trial. The article states that multiple jurors engaged in misconduct by intentionally violating the Court's direction to "stay[] away from media coverage, not doing any research on the internet or otherwise and [to not] communicate anything about the case to anyone." (Jan. 24, 2019 Tr. at 6239:9 – 14).

Mr. Guzmán intends to file motion for a new trial based on the disclosures in the article and to request an evidentiary hearing to determine the extent of the misconduct. Pursuant to Fed. R. Crim. P. 33, a motion for a new trial must be filed within 14 days after the verdict. Fed. R. Crim. P. 33(a). Pursuant to Fed. R. Crim. P. 45(b)(1)(A), Mr. Guzmán respectfully requests an enlargement of time of 30 days from February 26, 2019, to file the motion.

The defense has sought the government's consent for the enlargement; however, the government has not responded as of the time of filing.

Thank you in advance for your consideration of this request.

Respectfully submitted,

/S/

A. Eduardo Balarezo, Esq.

cc:

Government Counsel

¹ The story is found online at: https://news.vice.com/en_us/article/vbwzny/inside-el-chapos-jury-a-juror-speaks-for-first-time-about-convicting-the-kingpin